

## REMARKS

Claims 1- 18 are now pending in this application. The Applicant has amended claims 1 and 10. Applicant submits that the application is now in condition for allowance. Reconsideration and allowance of claims 1-18 now pending in this application is respectfully requested in view of the following.

### B. Rejection under 35 U.S.C. 103

Claims 1-8, and 10-17 have been rejected under 35 U.S.C. 103 as being unpatentable over Dave Raggett, "Clean up your Web Pages with HTML Tidy," 4<sup>th</sup> version (August 2000), pgs 1-21 ("HTML Tidy") in view of Balnaves U.S. Patent Application Publication No. 2006/0085734, in further view of Dougliis et al. U.S. Patent Application Publication No. 2004/0260676 ("Dougliis").

### **The Original Structured Document to be Converted**

Claims 1 and 10, recites a computer implemented method and computer program for converting an original structured document that is either a SGML structured document or a XML structured document to a XHTML structured document. On page 3 of the November 14, 2006, the Examiner states that:

"HTML Tidy teaches a method of converting a structure document (XML or HTML) into a well formed HTML document - i.e., XHTML , (see pg. 2 - Introduction to Tidy and pg. 7, 2nd paragraph from bottom.)"

The Applicant strongly disagrees with the Examiner's interpretation of the HTML Tidy reference.

The portion of the HTML Tidy reference cited by Examiner clearly discloses that HTML Tidy is a software program that automatically **"fixes"** markup mistakes made when **"editing"** HTML or markup mistakes **"generated by conversion tools."** This language demonstrates that the HTML Tidy operates on HTML documents that are being edited or documents that have **"already"** been converted into HTML

documents to merely fix markup mistakes in the HTML documents. There is no disclosure in the entire reference directed to HTML Tidy performing any conversion between two types of a structured documents, much less a conversion from a SGML structured document or a XML structured document to a XHTML. Accordingly, there can be no parsing of an original structured document to be converted because HTML Tidy does not perform any type of conversion process.

The Examiner also seem to suggest that an HTML document is the same as an XHTML document. This is not the case. XHTML applies the more rigorous, less ambiguous syntax requirements of XML to HTML to make it easier to process and extend. In short, page 2 of the HTML Tidy reference cited by the Examiner merely teaches that HTML Tidy only operates on HTML documents to fix markup mistakes the HTML document may have and does not perform conversion as stated by the Examiner. In addition, while page 7 of the HTML Tidy reference does disclose that HTML Tidy provides support for XML documents, the support is for the limited purpose of removing errors in-order for XML files to be accepted by XML processors. The correction of errors that cause XML files not to be accepted by XML processors is not disclosed as involving any type of conversion process. Accordingly, the limitation of parsing an original structured document to be converted, wherein the original structured document is one of a SGML document or XML document, as recited in claim 1 and 10, cannot be taught by HTML Tidy because HTML Tidy does not perform any type of conversion between any type of structured documents.

### **The Claimed Generation of a First Level XHTML Content Fragment**

The HTML Tidy reference also fails to teach generating a first level XHTML content fragment corresponding to each first level element. The Examiner states on page 3 of the Office Action that:

“ HTML Tidy teaches parsing an original structure  
and mapping the elements contained in the original  
structured document with the XHTML content  
fragment in order to perfect the code.”

The Examiner is again incorrect for many reasons.

Firstly, while the HTML Tidy reference does teach parsing an original structured document, the elements identified through the parsing process are not mapped to any XHTML content fragment nor are the elements identified in a structured document that is to be converted. Identified elements, which are elements of a HTML structured document, are mapped to the correct HTML markup for the identified elements. As discussed above, the HTML Tidy reference only discloses performing its operations on a single type of structured document, which is a HTML document or XML document. The generation of a content fragment that is for a different type of structured document than the type of structured document for the identified element is not performed. Evidence of this is found on page 4, paragraphs 2-3. Accordingly, the claimed generation of a first level XHTML content fragment corresponding to each first level element of a structured document to be converted, as recited in claims 1 and 10, is not taught by the HTML Tidy reference.

Balnaves is cited to cure the deficiencies of HTML Tidy with respect to parsing an original document to be converted, such as an XML document, to a XHTML structured document. Firstly, Balnaves does not teach converting an original XML document to an XHTML document. Balnaves teaches a process that may convert a hypertext page into a format amenable to adding statistical information. One such format amenable to adding statistical information is a syntactically proper HTML code, referred to as XHTML. Because browsers are generally forgiving with respect to HTML code syntax, a hypertext page written in HTML code that is not syntactically correct may be reformatted by the process to be syntactically correct. To do so, the hypertext page, for example, may be converted from HTML to XML, in which the syntax of the code composing the hypertext page is corrected. The XML is then rewritten as XHTML. *See e.g.*, Balnaves, paragraph 16. The process may add the annotations to the hypertext page in either HTML or XML code formats. The XML document in Balnaves is not the original XML document to be converted. The XML document is an intermediate document to be converted. In addition, even if the XML document were deemed an original XML document to be converted, there is no motivation to combine the reference regardless of whether they both disclose

techniques for correcting markup because HTML Tidy only discloses using its technique for perfecting markup for a single type of document, which is an HTML document. There is no suggestion in either reference that the technique of HTML Tidy can be applied to the invention of Balnaves. In fact HTML Tidy teaches away from processing markup between two different types of structured documents since it heavily relies on correcting markup for a type of structured document using the markup approved by a standards organization for the type of structure document. The deficiencies recited above with respect to the HTML Tidy reference is not cured by Balnaves. Accordingly, the combination of HTML Tidy and Balnaves does not teach or suggest the invention claimed by claims 1 and 10.

Douglis does not cure the deficiencies of the HTML Tidy reference or the Balnaves reference. Accordingly, the HTML Tidy, Balnaves and Douglis references, alone or in combination, does not teach the invention as claimed in claims 1 and 10.

Claims 2-8 and 11-17 depend from claims 1 and 10 respectively. Thus, claims 2-8 and 11-17 are not taught or suggested for the reasons stated above with respect to claims 1 and 10.

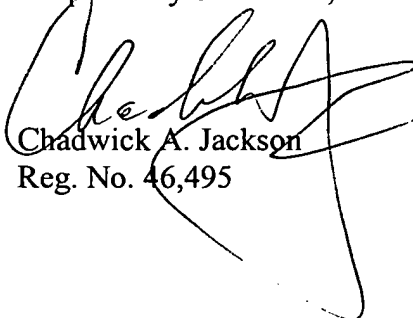
Claims 9 and 18 have been rejected under 35 U.S.C. 103 as being unpatentable over Dave Raggett, "Clean up your Web Pages with HTML Tidy," 4<sup>th</sup> version (August 2000), pgs 1-21 ("HTML Tidy") in view Balnaves U.S. Patent Application Publication No. 2006/0085734, and Douglis et al. U.S. Patent Application Publication No. 2004/0260676 ("Douglis"), and in further view of Fong et al. U.S. Patent Application Publication No. 2005/0166141 (Fong).

Fong does not cure the deficiencies of HTML Tidy, Balnaves and Douglis. Accordingly, HTML Tidy, Balnaves, Douglis, and Fong, alone or in combination does not teach the invention of claims 1 and 10 and thus does not teach the invention of claims 9 and 18.

## CONCLUSION

No other fees are believed to be due at this time. Should any fee be required, however, please charge such fees to Bingham McCutchen LLP Deposit Account No. 19-5127 (order no. 19111.0115).

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Chadwick A. Jackson', is written over the printed name and registration number.

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Dated: February 21, 2007  
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